

# Planning Commission Meeting

**Minutes of Morgan City Planning Commission GENERAL meeting held in open public session on July 21<sup>st</sup>, 2015 at 7:00 p.m., in the Council/Court Room in the City Office at 90 West Young Street.**

## MINUTES

JULY 21<sup>ST</sup>, 2015

7:00 PM

MORGAN CITY COUNCIL ROOM

MEETING CALLED BY	Doug Garfield
MEMBERS	Jim Brown, Dorothy Leishman, Julie Anderson, and Nathan McClellan.
EXCUSED	Robert Lynam, David Griffith, Ernie Durrant, Dave Carter.
CITY STAFF	Steve Garside, City Planner; Tony London, Council Member; Ray Little, Mayor.
OTHERS PRESENT	Debbie Hopkins, Dick Slate, Shane Hopkins, Chris Slate, Dave Jones, Chanelle Jones.
INTRODUCTION	Chair Doug Garfield called the meeting to order at 6:00 p.m.

## WORK SESSION

DISCUSSION	<p>The commission took a moment to discuss the application presented last Planning Commission meeting regarding rezoning in North Morgan. Julie Anderson asked the responsibility of the Planning Commission verses public comment. Steve stated from a Planning standpoint, the Commission cannot have the concept of complying with "not in my back yard" public comment. The Commission needs to look at the entire City and what is the impact 10-20 years down the road. Not necessary just those 20 people that don't want it in their back yard.</p> <p><b>Conditional Use Permit-Young Chrysler/Jeep/Dodge-</b> The applicant now comes to the Commission requesting the ability to expand its display of vehicles to phases 2 and 3, and also desiring to use the phases for overflow parking. The requested use is a conditional use in the CH zone. Neither phase 2 or 3 have been included in past applications for CUP's.</p> <p>Steve Garside referred to the site plan presented and that the expansion is not a problem. But if this is an expansion of the business, let's do it right with paving and lighting. An absolute minimum is the fence and landscape buffer as per requirement of the Code. Imposing conditions need to be mitigating with the conditions addressing impacts such as; the additional dust due to the additional storage, landscape buffer due to the transition from Commercial Highway to Residential. The Commission discussed the issue of parking on the road. If the dealership customers use parking on the road, it must be legally parked.</p> <p><b>Discussion-Industrial Zone Standards Review-</b>An application for a subdivision in the Industrial Zone was submitted recently and that application created concerns regarding Morgan City's Industrial Zone Standards. Planning Commission Chairman Doug Garfield directed the commission to review the standards over the next couple of months and revisit them at September 15<sup>th</sup>, 2015 Planning Commission meeting with the City Engineer, Matt Hartvigsen and Building Inspector, Mark Schmid present.</p>
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**GENERAL SESSION**

**MINUTES APPROVAL – June 16<sup>th</sup>, 2015**

<b>MOTION</b>	Julie Anderson moved to approve minutes of the Planning Commission Meeting June 16 <sup>th</sup> , 2015 as presented. Second: Nate McClellan Unanimous
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**ITEM #1      CONDITIONAL USE PERMIT-VEHICLE DISPLAY AND STORAGE-YOUNG AUTO**

<b>DISCUSSION</b>	<p>Planning Commission Chairman, Doug Garfield invited City Planner, Steve Garside to address the commission by reviewing prepared staffing notes.</p> <p>This parcel of property has been reviewed several times for conditional uses. Initially, in November 2010, the applicant applied for and received a conditional use permit (CUP) for the outdoor display of vehicles in anticipation of constructing this dealership. In March of 2013, the applicant requested an amendment to that CUP to increase the area of display of its inventory. Then in January of 2014, a CUP was applied for and granted for the complete dealership as it now exists. At the time of development and the issuance of the CUP, the use was limited to what was then referred to as phase 1. The strip of property along 525 North extending towards 700 East was labeled phase 2, and the vacant portion of the property to the southwest was labeled phase 3. (There is some confusion in the application as it indicates a request for a CUP on phases 2 and 3, while the illustration labels both of the subject portions as phase 2. For purposes of this memo, the properties will be referred to as phase 2 and 3 for historical consistency.)</p> <p>The applicant now comes to the Commission requesting the ability to expand its display of vehicles to phases 2 and 3, and also desiring to use the phases for overflow parking. The requested use is a conditional use in the CH zone. Neither phase 2 or 3 have been included in past applications for CUP's.</p> <p><b>REVIEW:</b></p> <p>The initial step in reviewing a conditional use permit is set forth in the City's Code. The Code first requires a review of the following issues: a) whether the proposed use, at the specific location, is in harmony with the general intent and purpose of the general plan and the applicable zoning district regulations; b) whether the proposed use is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood; and, c) whether such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. If the Commission determines that the application satisfies those considerations, the Commission may then impose conditions that further address the intent of the City's Code.</p> <p>It is staff's position that these criteria are or can be satisfied. First, this use is in harmony with the General Plan and the current zoning regulations. Second, this proposed expansion is the result of the operation being a success, which is beneficial to our community. Third, while this development has had an impact on the community, particularly to its adjacent neighbors, these impacts have been successfully mitigated, when the conditions have been employed.</p> <p><b>PLANNING ISSUES:</b></p> <p>While this CUP could be granted, the absence of a site plan makes the review difficult. A site plan must address the similar issues attendant to the application, as addressed herein. The applicant must also understand that each phase must comply with the Code independent of the overall project.</p> <p>Landscaping.</p>
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1) Information, location of landscaping. The information regarding landscaping is set forth in Section 10-9-6 of the City Code. The minimum amount of landscaping in this zone is 10%. The required figures regarding lot size, structure area, paved area, and landscape area were not included. The site plan must include the type of landscaping, size, quantities and location of each type. Further, subparagraph C of that Section requires that the landscaping be distributed throughout the project to provide relief from continuous hard surfaces. 2) Buffering. That subsection also addresses whether additional buffering is needed between commercial uses and residential uses, which is a situation that exists in this proposal. The minimum buffer between commercial and residential is a continuous 10 foot strip with trees planted every 20 feet, and those trees should have a dense canopy with a height of 25 feet at maturity, as set forth in Section 10-10-4. 3) Street-scape. That same Section also requires an 8 foot wide landscape strip behind the sidewalk. This area is to have a tree planted for every 50 feet of frontage, including any portion of a remaining 50 feet. (The area referred to as a park strip – between the back of curb and the sidewalk – is also to be landscaped but is not to be included in the calculations for the required landscaping percentage.) 4) Timing of installation. Finally, all transitional landscaping is required to be installed at a time that ensures the proper mitigating of the use. Due to the narrowness of phase 2, staff would not object to some aesthetic vehicle display being incorporated in the street-scape area.

The existing landscaping on phase 1 is commendable and staff would recommend that be replicated on phases 2 and 3.

#### Fencing.

Section 10-9-6 of the City's Code requires that the size, type, and location of fencing is to be included on the site plan. This information was not included. The requirement for fencing in transitional zones is set forth in Section 10-10-4. Staff would recommend that the same fence that exists on phase 1 be extended along the property lines for these additional phases.

#### Surface completion, improvement installation, and traffic circulation.

With this essentially being an extension of an existing use, the completion of the improvements should tie in with this use. That would include curb, gutter, and sidewalk. The parking area should be paved, and the layout of parking and traffic circulation should be provided for review.

#### **RECOMMENDATION:**

Staff recommends the granting of the conditional use permit with the following conditions being imposed to ensure compatibility with the Code and the surrounding properties:

1. The applicant must submit a site plan including the landscaping information required to facilitate a review for compliance to the provisions set forth above.
2. The applicant must disclose the type, size, and location of the proposed fencing for the project.
3. The buffering between this project and the residential neighboring property needs to be enhanced. The noise from this operation need to be attenuated so as not to disturb the residential properties. Staff recommends a block wall and increased landscaping to deflect and absorb the noise to mitigate this impact on the neighboring property. Staff recommends the same materials and color of the existing wall be extended to these phases.
4. The parking area should be finished and paved, a traffic circulation proposal submitted, and the typical frontage improvements be installed.
5. As to be consistent with the prior CUP, no exterior speakers should be permitted.

Chairman, Doug Garfield addressed the audience asking if there was a representative for the application present. None were present. Chairman Garfield opened for public comment.

Shane Hopkins requests that the commission require the applicant to put a wall up on phase 2. As it stands, Young automotive and their customers encroach the back of his home and he is concerned with the safety and wellbeing of his family. The vehicles create an enormous amount of dust as well.

Dick Slate presented a handout for the commission. The handout had pictures of Young Automotive parking fleet vehicles on undeveloped phase 2. The handout also had a site plan submitted in January 2014 with all three phases. The January 2014 Conditional Use Permit was for phase 1 only which housed the dealership.

Chanelle Jones indicated she has issues with the exterior speakers. When she does call the dealership, they will turn down the speakers from the shop but state the sales speakers in the front are a necessity. Chanelle stated in the landscape buffer, some of the trees have died and should be replaced.

	<p>Dave Jones stated that on the wall which was erected for buffering, has post caps that are wobbly and could present a safety hazard.</p> <p>Debbie Hopkins is concerned that the Conditional Use Permit could be issued with the loop hole. It seems to her, that the Young group always looks for the loop hole and that the commission needs to make sure what is agreed upon. Would like a timeline of completion included in the Conditional Use Permit.</p> <p>The commission is in agreement that the current fencing on phase 3 and 1 to be continuously extending through phase 2 and that the required 10ft landscape buffer installed. The parking to be finished and paved hard surface such as the type occupying phase 1. The landscape requirements are to be followed and are not negotiable. The Commission had questions regarding phase 3 and the jeep course such as; height, material used, containment, etc. No representative of the application was present.</p> <p>The Commission and staff discussed timeline of completion, occupancy and compliance timeline. There will be no occupancy of phase 2 and 3 until imposed conditions have been met. Compliance of all Conditional Use Permits is one year from issuance. Tony London indicated this is a good thing that they are applying for the Conditional Use Permit as we can have them do it right.</p> <p>Doug Garfield clarified a detailed landscape plan meeting the requirements of 10-10-4 will need to be submitted for approval. The Commission needs to address the concerns of the adjacent neighbors by requiring the applicant to replace the dead trees and that the use of exterior speakers was prohibited in the previous Conditional Use Permit.</p> <p>Lighting was not shown on the submitted site plan for phase 2, hence is not approved and prohibited.</p>
<p>MOTION</p>	<p>Jim Brown moved to table the Conditional Use application of vehicle display and storage for Young Chrysler/Jeep/Doge until the Commission receives more information such as the jeep course shown on phase 3. Second: Dorothy Leishman</p> <p>Discussion on the motion: Members did not want to table the entire application as the issue of parking vehicles on phase 2 and 3 currently exists. Steve Garside clarified conditions can be imposed without a representative of the application present. If the purpose of tabling the application is not enough information for phase 3 and the jeep course, the commission can table only phase 3 and impose conditions for phase 2.</p> <p>Dorothy Leishman moved to amend the Motion presented. Second: Julie Anderson Unanimous</p> <p>Jim Brown moved to amend the motion as follows: Phase 3 will remain tabled until the Commission receives more information; hence no use has been approved for phase 3 and should not be occupied. The Conditional Use Permit approval for phase 2 is subject to the following conditions imposed by the Planning Commission:</p> <ul style="list-style-type: none"> <li>• Landscape: Landscape requirements are set forth in section 10-9-6 of the City code which indicates the minimum amount of landscaping required in this zone is 10%. The minimum landscape buffer between commercial and residential is a continuous 10 foot strip with trees planted every 20 feet, etc. Please refer to Section 10-10-4 of the City's Code. Additionally, the 8 foot landscape strip behind the sidewalk, as required by Section 10-10-6 must be installed, along with a landscaped park strip.</li> </ul> <p><b>Submit a landscape plan for approval.</b></p> <ul style="list-style-type: none"> <li>• Fencing: The requirement for fencing in transitional zones is set forth in Section 10-10-4. Planning Commission is requiring that the same fence that exists on phases 1 and 3 be extended continuously along the property lines of phase 2.</li> <li>• Surface Completion: With this application essentially being an extension of an existing use, the completion of the improvement should tie in with this existing use. Conditions imposed by the Planning Commission are the completion of parking surface on phase 2 to be of the same paving material surfacing phase 1. The curb, gutter, and sidewalk will also need to be completed along the frontage of 525 North to the property line.</li> <li>• Phase 2 cannot be occupied or used until the conditions of this application have been met and until the conditions imposed on permit #14-001, issued for Phase 1, are in compliance such as, but not limited to: no external speakers or public address systems, and replace any landscaping that has not</li> </ul>

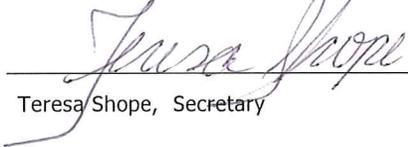
	survived. Second: Nate McClellan Unanimous
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**ITEM #2 DISCUSSION-INDUSTRIAL ZONE STANDARDS REVIEW.**

<b>DISCUSSION</b>	Doug Garfield indicated during the work session, the commission had been asked to take time to review the Industrial Zone Standards and be prepared to discuss the standards at the September 18 <sup>th</sup> , 2015 Planning Commission meeting.
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**ADJOURNMENT:**

MOTION: Dorothy Leishman moved to adjourn the meeting.

  
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Teresa Shope, Secretary

These minutes were approved at the August 18<sup>th</sup>, 2015 meeting.